

**17-21-18.5 (Superseded 07/01/15). Fees of county recorder.**

(1) The county recorder shall receive the following fees:

(a) for recording any instrument, not otherwise provided for, other than bonds of public officers, \$10;

(b) for recording any instrument, including those provided for under Title 70A, Uniform Commercial Code, other than bonds of public officers, and not otherwise provided for, \$10 for the first page and \$2 for each additional page, and if an instrument contains more than one description, \$1 for each additional description;

(c) for recording a right-of-way connected with or appurtenant to any tract of land described in the instrument, \$1, but if the instrument contains a description of more than one right-of-way, \$1 for each additional right-of-way, and if an instrument contains more than two names for either the first or second party, or the plaintiffs or defendants, \$1 for each additional name;

(d) for recording mining location notices and affidavits of labor affecting mining claims, \$10 for the first page and \$2 for each additional page; and

(e) for a location notice, affidavit, or proof of labor which contains names of more than two signers, \$1 for each additional name, and for an affidavit or proof of labor which contains more than one mining claim, \$1 for each additional mining claim.

(2) (a) Each county recorder shall record the mining rules of the several mining districts in each county without fee.

(b) Certified copies of these records shall be received in all tribunals and before all officers of this state as prima facie evidence of the rules.

(3) The county recorder shall receive the following fees:

(a) for copies of any record or document, a reasonable fee as determined by the county legislative body;

(b) for each certificate under seal, \$5;

(c) for recording any plat, \$30 for each sheet and \$1 for each lot or unit designation;

(d) for taking and certifying acknowledgments, including seal, \$5 for one name and \$2 for each additional name;

(e) for recording any license issued by the Division of Occupational and Professional Licensing, \$10; and

(f) for recording a federal tax lien, \$10, and for the discharge of the lien, \$10.

(4) (a) For recording a document that is subject to and complies with the Real Estate Settlement and Procedure Act, 12 U.S.C. Sec. 2601 et seq. for a residential property constructed for at least one family but no more than four families, the county recorder shall receive:

(i) \$14 for each deed of conveyance;

(ii) \$40 for each deed of trust; and

(iii) \$14 for each assignment of a deed of trust when recorded concurrently with the assigned deed of trust.

(b) If a person submits for recording a document described in Subsection (4)(a), the person shall notify the county recorder by including the word "RESPA" in at least 16 point font on the front page of each document.

(c) A county recorder is not required to:

(i) refund a fee described in Subsection (4)(a); or

(ii) change a fee amount shown on a recorded document if the fee described in Subsection (4)(a) is not collected at the time of recording.

(d) A county recorder may examine a document recorded under this Subsection (4) for compliance with the Real Estate Settlement and Procedure Act, 12 U.S.C. Sec. 2601 et seq.

(5) The county may determine and collect a fee for all services not enumerated in this section.

(6) A county recorder may not be required to collect a fee for services that are unrelated to the county recorder's office.

Amended by Chapter 345, 2011 General Session